

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE: VALSARTAN, LOSARTAN, AND IRBESARTAN PRODUCTS LIABILITY LITIGATION	MDL No. 2875
THIS DOCUMENT RELATES TO ALL CASES	HON. ROBERT B. KUGLER CIVIL NO. 19-2875 (RBK)

**CERTIFICATION OF ROSEMARIE RIDDELL BOGDAN IN SUPPORT OF
PLAINTIFFS' DAUBERT MOTION TO PRECLUDE OPINIONS OF DEFENSE
EXPERT STEVEN W. BAERTSCHI, Ph.D.**

Rosemarie Riddell Bogdan, hereby certifies as follows:

1. I am an attorney at law within the State of New York and a partner with the law firm of Harding Mazzotti, LLP and serve as Court-appointed Plaintiffs' Steering Committee Counsel. I am fully familiar with the facts and circumstances of these actions. I make this Certification in support of Plaintiffs' *Daubert* motion to preclude the opinions of defense expert Steven W. Baertschi, Ph.D.
2. Attached hereto as **Exhibit A** is a true and accurate copy of the Rule 26 Expert Report of Steven W. Baertschi, Ph.D. dated December 19, 2022.
3. Attached hereto as **Exhibit B** is a true and accurate copy of the examination before trial transcript of Steven W. Baertschi, Ph.D. dated January 26, 2023.
4. Attached hereto as **Exhibit C** is a true and accurate copy of the examination before trial transcript of Steven W. Baertschi, Ph.D. dated March 23, 2022.

5. Attached hereto as **Exhibit D** is a true and accurate copy of Ex. 65 Teva Dep. 230 at Tab 3 (Teva ZHP & Mylan API Lot Information Spreadsheets).

6. Attached hereto as **Exhibit E** is a true and accurate copy of Ex. 79 Teva-MDL2875-00244213.

7. Attached hereto as **Exhibit F** is a true and accurate copy of Ex. 80 TEVA-MDL2875-00107585.

8. Attached hereto as **Exhibit G** is a true and accurate copy of Ex. 18 TEVA-MDL2875-00101997.

9. Attached hereto as **Exhibit H** is a true and accurate copy of Ex. 9 Baertschi 1-26-2023 Dep.

10. Attached hereto as **Exhibit I** is a true and accurate copy of Ex. 83, TEVA-MDL275-00399168.

11. Attached hereto as **Exhibit J** is a true and accurate copy of Ex. 84, TEVA-MDL2875-00118147.

12. Attached hereto as **Exhibit K** is a true and accurate copy of Ex. 66, TEVA-MDL2875-00549883.

13. Attached hereto as **Exhibit L** is a true and accurate copy of TEVA-MDL2875-00049024.

14. Attached hereto as **Exhibit M** is a true and accurate copy of Ex. 68, TEVA-MDL2875-00737506.

15. Attached hereto as **Exhibit N** is a true and accurate copy of Anthony Binsol Dep. pp. at 1, 47, 50-51, 54, 56-61, 96-97, 102-103, 108-109, 121-122, 193-197, 204-205, and Ex. 78, TEVA-MDL2875-00514869.

16. Attached hereto as **Exhibit O** is a true and accurate copy of Ex. 19, TEVA-MDL2875-00102646.

17. Attached hereto as **Exhibit P** is a true and accurate copy of 3-18-2021 S. Karlsson Dep. pp. 306-310.

18. Attached hereto as **Exhibit Q** is a true and accurate copy of TEVA-MDL2875-00546489 email with attachments.

19. Attached hereto as **Exhibit R** is a true and accurate copy of Ex. 66, TEVA-MDL2875-00549883.

20. Attached hereto as **Exhibit S** is a true and accurate copy of Ex. 75, TEVA-MDL2875-00103248.

21. Attached hereto as **Exhibit T** is a true and accurate copy of Claire Lyons Dep. pp. at 130-132.

22. Attached hereto as **Exhibit U** is a true and accurate copy of Ex. 76, TEVA-MDL2875-00042637.

23. Attached hereto as **Exhibit V** is a true and accurate copy of Ex. 13, TEVA-MDL2875-00280442 and Daniel Barreto Dep. pp. 1, 62-63, 201-202, 275-276, 367-368.

24. Attached hereto as **Exhibit W** is a true and accurate copy of Stipulation of ZHP dated May 13, 2022.

25. Attached hereto as **Exhibit X** is a true and accurate copy of Ex. 22, ZHP01344159.

26. Attached hereto as **Exhibit Y** is a true and accurate copy of TEVA-MDL2875-00320639.

27. Attached hereto as **Exhibit Z** is a true and accurate copy of Ex. 18 TEVA-MDL2875-00101997.

28. Attached hereto as **Exhibit AA** is a true and accurate copy of USP Valsartan Monograph.

29. Attached hereto as **Exhibit BB** is a true and accurate copy of PRINSTON00075818-PRINSTON00075819.

30. Attached hereto as **Exhibit CC** is a true and accurate copy of Ex. 25, USP General Notices and Requirements Section 5.60.10.

31. Attached hereto as **Exhibit DD** is a true and accurate copy of ICH Q3A(R2), dated October 25, 2006.

32. Attached hereto as **Exhibit EE** is a true and accurate copy of TEVA-MDL2875-00102525.

33. Attached hereto as **Exhibit FF** is a true and accurate copy of TEVA-MDL2875-00950663.

34. Attached hereto as **Exhibit GG** is a true and accurate copy of Najafi Expert Report dated 10-31-2022.

35. Attached hereto as **Exhibit HH** is a true and accurate copy of ZHP00389304-00389317.

36. Attached hereto as **Exhibit II** is a true and accurate copy of ZHP00389314.

37. Attached hereto as **Exhibit JJ** is a true and accurate copy of ZHP00190079 to ZHP00190096.

38. Attached hereto as **Exhibit KK** is a true and accurate copy of FDA Warning Letter ZHP01344159-44164.

39. Attached hereto as **Exhibit LL** is a true and accurate copy of TEVA-MDL2875-00016084-6089.

HARDING MAZZOTTI, LLP

Attorneys for Plaintiffs

By: /s/ Rosemarie Riddell Bogdan

Dated: March 13, 2023

CERTIFICATE OF SERVICE

I hereby certify that on March 13, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notifications of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ Rosemarie Riddell Bogdan

Rosemarie Riddell Bogdan